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Defendant TVIIM, LLC

9
10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**
12

13
14 TVIIM, LLC, a Colorado Limited liability
15 company,

16 Plaintiff,

17 v.

18 MCAFEE, INC., a corporation,

19 Defendant.
20

21 MCAFEE, INC., a corporation,

22 Counterclaimant,

23 v.

24 TVIIM, LLC, a Colorado Limited liability

25 company,

26 Counterclaim Defendant.
27
28

Case No. 3:13-cv-04545-HSG

**SUPPLEMENTAL DECLARATION OF
JOHN SHAEFFER IN SUPPORT OF
TVIIM, LLC'S MOTION FOR PARTIAL
SUMMARY JUDGMENT**

Hearing Date: May 7, 2015

Hearing Time: 2:00 p.m.

Courtroom: 15, 18th Floor

Hon. Haywood S. Gilliam, Jr.

DECLARATION OF JOHN SHAEFFER

I, John Shaeffer, hereby declare as follows:

1. I am a partner in the law firm of Fox Rothschild LLP, counsel for Plaintiff and Counterclaim Defendant TVIIM, LLC ("TVIIM"), in this action. I am a member in good standing of the California State Bar and the Ninth Circuit Bar. I submit this supplemental declaration in support of TVIIM's Motion for Partial Summary Judgment. This declaration is being submitted in response to the Court's Order of June 10, 2015, Dkt. No. 171, which denied TVIIM's Administrative Motion to File Under Seal. Accordingly, and in accordance with the Court's Order and McAfee's filings of June 15, 2015 (Dkt. Nos. 173-176), I am attaching the following documents to be publicly filed. I have personal knowledge of the facts stated here and am familiar with the documents referred to below.

2. Attached hereto as Exhibit 8 is a true and correct copy of a December 18, 2014 letter from McAfee Counsel of Record Joseph J. Mueller.

3. Attached hereto as Exhibit 9 is a true and correct copy of McAfee, Inc.'s First Supplemental Responses and Objections to Plaintiff TVIIM, LLC's First Set of Interrogatories dated November 21, 2014.

4. Attached hereto as Exhibit 14 are true and correct excerpts from the confidential deposition of Patrick Taylor taken January 6, 2015.

5. Attached hereto as Exhibit 15 are true and correct excerpts from the reporter's rough transcript of the confidential deposition of Aviel Rubin, Ph.D. taken February 27, 2015.

I declare under the penalty of perjury under federal law that the following is true and correct, and that I executed this Declaration on June 17, 2015 at Los Angeles, California.

/s/ John Shaeffer

JOHN SHAEFFER

CIVIL LOCAL RULE 5-1(i)(3) ATTESTATION

I hereby attest that concurrence in this filing had been obtained from John Shaeffer and a copy of his original signature is on file.

Dated: June 17, 2015

/s/ Jeff Grant

Jeff Grant

CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury under the laws of the United States that a true and correct copy of the above and foregoing document has been served on June 16, 2015, to all counsel of record who are deemed to have consented to electronic service via the Court's ECF system per Civil Local Rule 5-1.

Dated: June 17, 2015

/s/ Jeff Grant